[23rd December 1949

SRI B. BHIMA RAO:—"Is the Hon. Minister aware that the Board of Revenue has issued instructions to Collectors that only double copy stamps should be issued and not single copy stamps?"

THE HON. SRI H. SITARAMA REDDI:—"In answer to clause (c) I said that stamp vendors were not prohibited from issuing single copy stamps. I do not know about the instructions issued by the Board of Revenue. If they are illegal or cause inconvenience, I shall have them cancelled."

SRI B. BHIMA RAO:—"The Collector of Bellary has written to me to say that the Board of Revenue has issued instructions that only double copy stamps should be issued and not single copy stamps and that he is following those instructions."

THE HON. SRI H. SITARAMA REDDI:—"I shall take up the matter with the Board of Revenue."

SRI B. BHIMA RAO:—"When stamps are affixed on both sides, is it not difficult to remove the stamp affixed on the reverse side when the front page has been written up?"

THE HON. SRI H. SITARAMA REDDI:—"I believe this practice is being followed to economize paper."

SRI B. BHIMA RAO:—"I request the Hon. Minister to issue instructions that single copy stamps may be issued at least in limited number whenever they are required?"

THE HON. SRI H. SITARAMA REDDI:—"I have already replied that stamp vendors are not prohibited from issuing single copy stamps."

SRI B. BHIMA RAO:—"But still they are issuing only double copy stamps and not single copy stamps. That is why I am making the request."

THE HON. SRI H. SITARAMA REDDI:—"The matter will be considered."

Grant of certified copies by the Revenue authorities in Bellary.

* 70-B *Q.*—SRI B. BHIMA RAO: Will the Hon. the Minister for Land Revenue be pleased to state—

(*a*) whether the Government have got the information asked for in Short Notice Question No. 20 (B) on the 17th November 1949 regarding the insistence of certificates from civil courts for the grant of certified copies by the Revenue authorities in Bellary district, and if so, what the facts are;

(*b*) whether it is a fact that such a practice does not obtain in the other districts of this Province; and

(*c*) whether the Government have issued instructions to the Subordinate officers of Bellary and other districts to grant copies of public documents without production of such certificates?

23rd December 1949]

THE HON. SRI H. SITARAMA REDDI:—" (a) Yes. Under the existing orders in the Board's Standing Order, the Revenue officers are invariably insisting upon the production of a certificate from the civil courts whenever a copy of a public document is applied for by a party for filing in a civil suit. No instruction has been issued to the Collector of Bellary not to insist upon the production of a certificate for grant of copies referred to above. Information as to whether the District Judge of Bellary declined to grant such certificates, has been called for and the receipt of the reply is awaited.

" (b) Information has been called for.

" (c) The question is being examined."

SRI B. BHIMA RAO:—" I may inform the Hon. Minister that the present District Judge of Bellary invariably refuses saying that there is no rule enjoining the grant of certificates by civil courts, and the parties are prejudiced because they could not get certified copies of documents from the Revenue Department for production in civil courts without such certificate."

THE HON. SRI K. MADHAVA MENON:—" On a point of order, Sir. If a District Judge dismisses an application, is this House or the High Court competent to go into the matter?"

MR. PRESIDENT:—" What the hon. Member suggests is that the Revenue Department need not insist upon certificates from civil courts. Being a lawyer myself, I know the difficulty if the Revenue Department insist on the production of a certificate."

THE HON. SRI H. SITARAMA REDDI:—" I have already said that the question is being examined. I shall expedite the examination."

SRI B. BHIMA RAO:—" I understand from Sri A. Vaidyanatha Ayyar, M.L.A. that such certificate is not insisted upon in Mathurai district."

MR. PRESIDENT:—" That is so in Chittoor district also. The suggestion does not amount to our sitting in judgment over the District Judge's order."

THE HON. SRI K. MADHAVA MENON:—" There is some provision in the Civil Procedure Code or Rules of practice which insists upon the production of a certificate from a civil court if a revenue record has to be produced."

SRI B. BHIMA RAO:—" I may inform the Hon. Minister for Law that there is no such rule in the Civil Rules of Practice."

MR. PRESIDENT:—" If a record has to be produced in a court, the court serves summons for the same."

SRI M. NARAYANA MENON:—" In Malabar district also, there is no insistence on such certificate."

[23rd December 1949

THE HON. SRI K. MADHAVA MENON:—"Yes, if it is not a *public* document."

MR. PRESIDENT:—"Any way the Hon. Minister may look into the matter and remove the difficulty if any."

Disposal of land acquisition cases relating to the Hospet area.

* 70-C *Q.*—SRI B. BHIMA RAO: Will the Hon. Minister for Education be pleased to state—

(*a*) whether the District Judge of Bellary was asked to proceed to Hospet for two days in a month and dispose of Land Acquisition cases relating to the Hospet area in that place;

(*b*) whether the Government have issued subsequently a notification conferring on the District Munsif of Hospet jurisdiction to deal with such cases under Section 3 (*d*) of the Land Acquisition Act, 1894 (Central);

(*c*) whether the latter notification supersedes the former or whether the jurisdiction of the District Judge is co-extensive with that of the District Munsif of Hospet; and if so, whether the Government have issued instructions as to how the work should be apportioned between them and whether the pecuniary jurisdiction of the District Munsif is limited to Rs. 3,000; and

(*d*) whether appeals would lie to the District Judge of Bellary or the High Court from the decisions of the District Munsif of Hospet in cases dealt with by him and if not, whether the Government are taking action to amend the Land Acquisition Act with a view to confer the right of appeal on persons aggrieved by such decisions?

THE HON. SRI K. MADHAVA MENON:—"(*a*) Orders were issued by the Government fixing Hospet also as the place at which the District Court, Bellary, shall be held for the purpose of hearing cases under the Land Acquisition Act.

"(*b*) The answer is in the affirmative.

"(*c*) The effect of the notification authorizing the District Munsif, Hospet, to try cases under the Land Acquisition Act arising within the local limits of his jurisdiction is to oust the jurisdiction of the District Judge, Bellary, to try cases under that Act arising in the area within the jurisdiction of the District Munsif. The District Judge will continue to have jurisdiction in land acquisition cases arising from other areas in the district. The question of apportionment of work as between the District Judge, Bellary and the District Munsif, Hospet, in the matter of trying cases under the Land Acquisition Act does not therefore arise. No pecuniary limitation is attached on the jurisdiction of the District Munsif, Hospet, in regard to land acquisition cases.

"(*d*) Appeals from the decisions of the District Munsif lie to the High Court under section 54 of the Land Acquisition Act."